



General Assembly

February Session, 2010

Raised Bill No. 5112

LCO No. 513

* _____HB05112HS_APP032210_____*

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

***AN ACT REDUCING THE INDIVIDUAL CONTRIBUTION UNDER THE
STATE-FUNDED HOME-CARE PROGRAM FOR THE ELDERLY.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (i) of section 17b-342 of the 2010 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (i) (1) On and after July 1, 1992, the Commissioner of Social Services
5 shall, within available appropriations, administer a state-funded
6 portion of the program for persons (A) who are sixty-five years of age
7 and older; (B) who are inappropriately institutionalized or at risk of
8 inappropriate institutionalization; (C) whose income is less than or
9 equal to the amount allowed under subdivision (3) of subsection (a) of
10 this section; and (D) whose assets, if single, do not exceed the
11 minimum community spouse protected amount pursuant to Section
12 4022.05 of the department's uniform policy manual or, if married, the
13 couple's assets do not exceed one hundred fifty per cent of said
14 community spouse protected amount and on and after April 1, 2007,
15 whose assets, if single, do not exceed one hundred fifty per cent of the
16 minimum community spouse protected amount pursuant to Section

17 4022.05 of the department's uniform policy manual or, if married, the
18 couple's assets do not exceed two hundred per cent of said community
19 spouse protected amount.

20 (2) [Except] (A) From the effective date of this subdivision until June
21 30, 2011, inclusive, except for persons residing in affordable housing
22 under the assisted living demonstration project established pursuant to
23 section 17b-347e, as provided in subdivision (3) of this subsection, any
24 person whose income is at or below two hundred per cent of the
25 federal poverty level and who is ineligible for Medicaid shall
26 contribute five per cent of the cost of his or her care. Any person whose
27 income exceeds two hundred per cent of the federal poverty level shall
28 contribute five per cent of the cost of his or her care in addition to the
29 amount of applied income determined in accordance with the
30 methodology established by the Department of Social Services for
31 recipients of medical assistance. Any person who does not contribute
32 to the cost of care in accordance with this subdivision, shall be
33 ineligible to receive services under this subsection. Notwithstanding
34 any provision of the general statutes, the department shall not be
35 required to provide an administrative hearing to a person found
36 ineligible for services under this subsection because of a failure to
37 contribute to the cost of care.

38 (B) On and after July 1, 2011, except for persons residing in
39 affordable housing under the assisted living demonstration project
40 established pursuant to section 17b-347e, as provided in subdivision
41 (3) of this subsection, any person whose income is at or below two
42 hundred per cent of the federal poverty level and who is ineligible for
43 Medicaid shall contribute fifteen per cent of the cost of his or her care.
44 Any person whose income exceeds two hundred per cent of the federal
45 poverty level shall contribute fifteen per cent of the cost of his or her
46 care in addition to the amount of applied income determined in
47 accordance with the methodology established by the Department of
48 Social Services for recipients of medical assistance. Any person who
49 does not contribute to the cost of care in accordance with this

50 subdivision, shall be ineligible to receive services under this
51 subsection. Notwithstanding any provision of the general statutes, the
52 department shall not be required to provide an administrative hearing
53 to a person found ineligible for services under this subsection because
54 of a failure to contribute to the cost of care.

55 (3) Any person who resides in affordable housing under the assisted
56 living demonstration project established pursuant to section 17b-347e
57 and whose income is at or below two hundred per cent of the federal
58 poverty level, shall not be required to contribute to the cost of care.
59 Any person who resides in affordable housing under the assisted
60 living demonstration project established pursuant to section 17b-347e
61 and whose income exceeds two hundred per cent of the federal
62 poverty level, shall contribute to the applied income amount
63 determined in accordance with the methodology established by the
64 Department of Social Services for recipients of medical assistance. Any
65 person whose income exceeds two hundred per cent of the federal
66 poverty level and who does not contribute to the cost of care in
67 accordance with this subdivision shall be ineligible to receive services
68 under this subsection. Notwithstanding any provision of the general
69 statutes, the department shall not be required to provide an
70 administrative hearing to a person found ineligible for services under
71 this subsection because of a failure to contribute to the cost of care.

72 (4) The annualized cost of services provided to an individual under
73 the state-funded portion of the program shall not exceed fifty per cent
74 of the weighted average cost of care in nursing homes in the state,
75 except an individual who received services costing in excess of such
76 amount under the Department of Social Services in the fiscal year
77 ending June 30, 1992, may continue to receive such services, provided
78 the annualized cost of such services does not exceed eighty per cent of
79 the weighted average cost of such nursing home care. The
80 commissioner may allow the cost of services provided to an individual
81 to exceed the maximum cost established pursuant to this subdivision
82 in a case of extreme hardship, as determined by the commissioner,

83 provided in no case shall such cost exceed that of the weighted cost of
84 such nursing home care.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	17b-342(i)
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AGE *Joint Favorable C/R* HS

HS *Joint Favorable C/R* APP